

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

HON. CHARLES S. COODY	AT	Montgomery, Alabama
DATE COMMENCED: 12/9/05	AT	2:12 p.m. to 2:33 p.m.
DATE COMPLETED: 12/9/05	TO	Digital Recorded

UNITED STATES OF AMERICA	*	
VS.	*	
	*	CASE NO.: 3:05CR262-A-CSC
GERMEMIAS SANDOVAL	*	
MISSEAL FLORES XOCHICALE	*	
GYALTERO GYZMAN XOCHICALE	*	

GOVERNMENT	APPEARANCES:	DEFENDANT
Atty. Tommie Hardwick	* Atty. Donnie Bethel	
	* Atty. Richard Keith	
Tamra Martin, USPO	* Atty. Ben Bruner - NOT PRESENT	
David Conoly, USPO		

COURT OFFICIALS PRESENT:

Court Room Deputy: Wanda Stinson	Interpreter: Elisa P. Brodbeck
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() NON-JURY TRIAL
(X) OTHER PROCEEDINGS DETENTION HEARING AND ARRAIGNMENT

SEE MINUTES ATTACHED

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED			
Description	Detention hrg.		
Date	12/12/2005	Location	Courtroom 4B
Time	Speaker	Note	
2 :13:01 PM	Court	Court convenes; parties present as noted; Interpreter sworn ; Discussions as to the whereabouts of Atty. Bruner who is not present in court;	
2 :13:20 PM	Atty. Keith	Have not heard from him;	
2 :13:27 PM	Court	He represents Mr. Guzman?	
2 :13:30 PM	Atty Keith	That's correct;	
2 :13:38 PM	Court	Discussions as to proceeding with hearing with Mr. Guzman; Discussons regarding other defense standing for Atty. Bruner;	
2 :13:55 PM	Atty. Keith	Can do that;	
2 :13:59 PM	Court	Court will recess to allow counsel to confer with Deft Guzman regarding other counsel to represent him for detention and arraignment proceedings; If he wants lawyer here, we can reset it for another time;	
2 :14:24 PM	Court	COURT IS RECESSED.	
2 :23:40 PM	Court	Court RECONVENES;	
2 :23:44 PM	Atty. Keith	Addressed the court as to deft Guzman and to deft Flores to reserved right to proceed with the detention as a later date and to proceed with arraignment;	
2 :24:23 PM	Court	The for Mr. Sandoval?	
2 :24:28 PM	Atty. Bethel	Yes.	
2 :24:28 PM	Court	The defts do not contest detention as this point?	
2 :24:29 PM	Atty. Keith	No sir.	
2 :24:32 PM	Atty. Bethel	No sir.	
2 :24:32 PM	Court	We will proceed with arraignment; All 3 defts placed under oath ofr	
2 :25:12 PM	Court	Let's take Mr. Sandoval first; Arraignment collouqy being; Deft enters not guilty plea; Disc; Provided 12/12/05; Trial set for 2/13/06 before visiting judge;	
2 :28:13 PM	Atty. Bethel	No objections to the 2/13/06 trial term;	
2 :28:23 PM	Court	How long will take to try case?;	
2 :28:28 PM	Atty. Hardwick	1 day;	
2 :28:28 PM	Atty. Bethel	Concur;	
2 :28:35 PM	Court	Deft order detained;	
2 :28:54 PM	Court	Next Flores-Xochicale; arraignment collouqy; Deft enters not guilty plea to the charges in the indictment; Discover by 12/12/05; Any objections to the Feb. setting:	
2 :30:34 PM	Atty.Keith	No objections;	
2 :30:37 PM	Court	Order defendant be detained pending further proceedings;	
2 :30:47 PM	Court	Next Mr. Guzman Xochicale; acknowledges Atty. Bruner not present; Deft advised that if he does not want to proceed with arraignment today, the court can set if for another time; Request to allow Mr. Bethel to assist with arraignment today?	

12/12/05 15:31:16

2 :31:16 PM	Deft Guzman	Yes.
2 :31:16 PM	Court	Do you wish to proceeding with arraignment at this time;
2 :31:23 PM	Deft Guzman	yes.
2 :31:30 PM	Court	Arraignment collouqy begins; Deft enters not guilty plea to the charges in the indictment; Discovery : 12/12/05; Atty. Bethel to tell Mr. Bruner about the 2/13/06 trial term; If he have any objections that he should let the court know ASAP; Deft to remain in custody;
2 :33:33 PM	Court	Court is recessed.